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COURT EXHIBIT

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
-----X  
UNITED STATES OF AMERICA,

-against-

THOMAS WELNICKI,  
Defendant.  
-----X

**VERDICT FORM**

22-CR-164 (RJD)

1. **Statement One: October 16, 2021 calls to the Secret Service**

For the October 16, 2021 calls to the Secret Service, which are excerpted below, indicate whether you unanimously find that the government has proved beyond a reasonable doubt the three elements required by 18 U.S.C. 879.

“Now on Monday Donald Trump is supposed to uh go to Trump Tower to give a deposition . . . But there are some people who don’t think that Donald Trump was a good man and I think that some people think that he was a traitor. How do you intend to protect him since he no longer has Air Force One and he’s probably going to come into Wall Street on a helicopter and then travel downtown. . . . How you gonna secure? You have a long route from Wall Street to uh the Trump Tower. I was just wondering, how are you going to protect this guy? I’m just wondering because there’s a lot of high places, there’s a lot of high places, and I just don’t want you to put yourself in the middle of something that is terrible, that’s all I’m saying. . . . I just want to see justice done. And if somebody was in a high place that had an accurate, that had that was, you know. I just hope and I think you’re protecting something that is unprotectable, undefensible.”

a. Do you unanimously find that the defendant made the statement?

Yes  No \_\_\_\_\_

b. Do you unanimously find that the statement constituted or did not constitute a true threat to kill, kidnap, or inflict bodily harm?

True Threat \_\_\_\_\_ Not a True Threat

c. Do you unanimously find that that the threat was or was not made knowingly and willfully?

Was Made Knowingly and Willfully \_\_\_\_\_

Was Not Made Knowingly and Willfully

d. Do you find that the government has proven each of these elements beyond a reasonable doubt for Statement 1?

Yes \_\_\_\_\_ No

2. **Statement Two: November 8, 2021 call to the Secret Service**

For the November 8, 2021 call to the Secret Service, which is excerpted below, indicate whether you unanimously find that the government has proved beyond a reasonable doubt the three elements required by 18 U.S.C. 879.

"If I provided weapons and ammunition and money and a safe house and passports to individuals, would I be accused of aiding and abetting a murder of Donald Trump? . . . I just wanted to know how responsible I would be if I provided, because you see I've spent some time in Florida. And have contacts in Florida. I've spent a little bit of time in Florida and there are people who are dissatisfied with Donald Trump. That's all. They are dissatisfied and they asked me to provide them with the money, the cash money to give them for them to acquire weapons, ammunition, passports and safehouse. And I agree I will do that, so I want to know what responsibility I have. . . . Let's just say for arguments sake that you found somebody on the water course in a pond where Donald Trump is golfing, and they came out of the water and they they started giving them 8, 11 - I'm sorry 11,800 bullets. And I was just wondering what if I am living in another state, I have lived in Florida, and I have met a lot of people in the prison system and there are some wacky people, and you can you can buy them. I was just wondering what how you would connect me to them. . . . all I'm saying is I will provide any assistance bottom line I don't want to waste any more of your time I will provide any assistance. I will aid and abet anyone, and you can record this, you are recording this I hope. . . . This is a flat out plain out murder for hire you might say, if you want to look at it like that. He is a resident of Florida. If a resident of Florida happens to kill him it's not a federal crime. . . . I have expressed this publicly and to them that Donald Trump would not sit in the White House after January 20, 2020 he would do that over my dead body so I would like to reaffirm that right now. You can record this: Donald Trump will never ever sit in the White House in 2024. He will never sit there again. You can take that, and you can take that any way you like. . . . I just wanted to inform you that I will do anything and everything I can to see that Donald Trump is dead, you got that?"

a. Do you unanimously find that the defendant made the statement?

Yes X No \_\_\_\_\_

b. Do you unanimously find that the statement constituted or did not constitute a true threat to kill, kidnap, or inflict bodily harm?

True Threat \_\_\_\_\_ Not a True Threat X

c. Do you unanimously find that that the threat was or was not made knowingly and willfully?

Was Made Knowingly and Willfully \_\_\_\_\_

Was Not Made Knowingly and Willfully X

d. Do you find that the government has proven each of these elements beyond a reasonable doubt for Statement Two?

Yes \_\_\_\_\_ No   X

3. **Statement Three: December 2, 2021 call to the Secret Service**

For the December 2, 2021 call to the Secret Service, which is excerpted below, indicate whether you unanimously find that the government has proved beyond a reasonable doubt the three elements required by 18 U.S.C. 879.

"I can understand protecting Jimmy Carter, and George Bush, I can understand that. But someone who tried to overthrow the government, I have a hard time. I have a hard time relating to that . . . This is a problem, this is a problem for me because I don't know when I'm supposed to, I don't know when I feel like I have to do something more than just call you. . . . You know, this country was, its birth was violent. It was violent. There were people who thought that the King should be in charge. And there were other people who thought that the government should be for the people, not for one individual. And I see this playing out. I just I . . . I . . . Maybe I'm just too predictive, too prophetic, you know I love this country so much. . . . I would think that the people's right to have a fair vote would be justified to take up arms, yes I do. I, I feel I do, to take up arms. I do. . . . At some point in time when ballots do not matter anymore, when the ballots and the elections are fixed, I believe that it's time for bullets."

a. Do you unanimously find that the defendant made the statement?

Yes ✓ No \_\_\_\_\_

b. Do you unanimously find that the statement constituted or did not constitute a true threat to kill, kidnap, or inflict bodily harm?

True Threat \_\_\_\_\_ Not a True Threat ✓

c. Do you unanimously find that that the threat was or was not made knowingly and willfully?

Was Made Knowingly and Willfully \_\_\_\_\_

Was Not Made Knowingly and Willfully ✓

d. Do you find that the government has proven each of these elements beyond a reasonable doubt for Statement Three?

Yes \_\_\_\_\_ No ✓

4. **Verdict**

As to the Indictment charging THOMAS WELNICKI with violating 18 U.S.C. § 879(a)(1), how do you find the defendant?

Guilty \_\_\_\_\_ Not Guilty ✗

Dated: Brooklyn, New York  
November 4, 2022

Nefertari Barnett  
JURY FOREPERSON